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- San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies
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AGENDA

Board of Directors Meeting

November 3, 2010

Start Time: 9:30 a.m.

LOCATION

**San Bernardino Associated Governments
Santa Fe Depot - SANBAG Lobby 1st Floor
1170 W. 3rd Street, San Bernardino, CA**

Board of Directors

President

Brad Mitzelfelt, Supervisor
County of San Bernardino

Vice-President

Bea Cortes, Council Member
City of Grand Terrace

Charley Glasper, Mayor
City of Adelanto

Rick Roelle, Mayor
Town of Apple Valley

Julie McIntyre, Mayor Pro Tem
City of Barstow

Bill Jahn, Mayor Pro Tem
City of Big Bear Lake

Dennis Yates, Mayor
City of Chino

Ed Graham, Vice Mayor
City of Chino Hills

Kelly Chastain, Mayor
City of Colton

John Roberts, Council Member
City of Fontana

Mike Leonard, Council Member
City of Hesperia

Larry McCallon, Council Member
City of Highland

Rhodes "Dusty" Rigsby, Mayor
City of Loma Linda

Paul Eaton, Mayor
City of Montclair

Jeff Williams, Mayor
City of Needles

Alan Wapner, Mayor Pro Tem
City of Ontario

Diane Williams, Council Member
City of Rancho Cucamonga

Patricia Gilbreath, Mayor
City of Redlands

Ed Scott, Council Member
City of Rialto

Patrick Morris, Mayor
City of San Bernardino

Jim Harris, Mayor Pro Tem
City of Twentynine Palms

John Pomierski, Mayor
City of Upland

Ryan McEachron, Council Member
City of Victorville

Richard Riddell, Mayor
City of Yucaipa

William Neeb, Council Member
Town of Yucca Valley

Gary Ovitt, Supervisor
County of San Bernardino

Paul Biane, Supervisor
County of San Bernardino

Neil Derry, Supervisor
County of San Bernardino

Josie Gonzales, Supervisor
County of San Bernardino

Ray Wolfe, Caltrans
Ex-Officio Member

Deborah Robinson Barmack
Executive Director

San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.

In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:

***The San Bernardino County Transportation Commission**, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

***The San Bernardino County Transportation Authority**, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

***The Service Authority for Freeway Emergencies**, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

***The Congestion Management Agency**, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

*As a **Subregional Planning Agency**, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
County Congestion Management Agency
Service Authority for Freeway Emergencies**

Board of Directors

November 3, 2010

9:30 a.m.

Location:

**San Bernardino Associated Governments
Santa Fe Depot
SANBAG Lobby, 1st Floor
1170 W. 3rd Street, San Bernardino**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.

Call to Order - 9:30 a.m. by Brad Mitzelfelt

- I Pledge of Allegiance
- II. Attendance
- III. Announcements:
 - Calendar of Events (Pg. 9)
- IV. Agenda Notices/Modifications – Vicki Watson

**1. Possible Conflict of Interest Issues for the Board Meeting of Pg. 10
November 3, 2010**

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

Consent Calendar

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up under Agenda Item 15.

Notes/Actions:

Consent Calendar Continued....

Administrative Matters

2. Board of Directors Attendance Roster Pg. 11

3. Local Stimulus Program Update Pg. 15

Receive report on the identified projects. Duane Baker

This item was reviewed and unanimously received by both the Major Projects Committee on October 14, 2010 and the Mountain/Desert Committee on October 15, 2010.

Regional Quality of Life Program

4. Southern California COMPASS Blueprint Call for Projects Pg. 20

Note Plans and Programs approved submittal of Grant Application by SANBAG on behalf of the cities of San Bernardino, Loma Linda, and Redlands for COMPASS Blueprint funding in the amount of \$200,000 for preparation of a Program Environmental Impact Report (PEIR) on station area land use changes along the Redlands Passenger Rail Project. Ty Schuiling

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on October 20, 2010.

Subregional Transportation Planning & Programming

5. Jurisdiction Master Agreements with the Cities of Colton and Yucaipa Pg. 22

1) Approve Jurisdiction Master Agreement C10244 with the City of Colton in the amount of \$158,780.

2) Approve Jurisdiction Master Agreement C10256 with the City of Yucaipa in the amount of \$381,060. Ty Schuiling

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on October 20, 2010. The Jurisdiction Master Agreements have been reviewed by SANBAG Counsel and approved by the Colton and Yucaipa City Councils.

Consent Calendar Continued....

Subregional Transportation Planning & Programming (Cont.)

6. Updated Revenue Estimate for Measure I 2010-2040 Pg. 47

1) Approve a Measure I 2010-1040 30-year revenue estimate of \$4.54 billion in 2010 dollars to support upcoming SANBAG budgeting and financial planning needs;

2) Direct staff to make the forecast available for further review by George Huang, the County Economist, and Jack Kyser, Southern California Association of Governments (SCAG) Economist.
Ty Schuiling

This item was reviewed and unanimously recommended by the Plans and Programs Committee on October 20, 2010.

7. Forecasts of reimbursements for Project Advancement Agreements Pg. 49

Receive information on forecasts of reimbursements for Project Advancement Agreements for FY 2010/2011. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on October 20, 2010. This information was reviewed by the SANBAG Transportation Technical Advisory Committee on July 12, 2010.

Project Development

8. Colton Quiet Zone Project in the City of Colton Pg. 55

Approve budget amendment to include Task No. 88611000, the Colton Quiet Zone Project and include \$400,000 in the 2010/2011 Fiscal Year Budget for the Colton Quiet Zone Project as identified in the Financial Impact Section. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on October 14, 2010.

9. Interstate 10 (I-10)/Citrus Avenue Interchange Projects Pg. 57

Approve Trade Corridor Improvement Fund (TCIF) Baseline Agreement Amendment C09014-01 for I-10/Citrus Avenue Interchange Project. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Project Committee on October 14, 2010.

Consent Calendar Continued....

Transportation Programs & Fund Administration

10. **Increase of Federal Share of the Congestion Mitigation Air Quality (CMAQ) funds to 100% Federal Participation for Victor Valley Transit Authority (VVTa) purchase of paratransit vehicles** Pg. 65

Approve the allocation of an additional \$112,865 of CMAQ funds to VVTa for a total amount of \$984,050 increasing the Federal CMAQ fund participation to 100% for its capital improvement project.
Beth Kranda

This item was reviewed by the Plans and Programs Committee on October 20, 2010 and unanimously recommended for approval.

DISCUSSION ITEMS

Program Support/Council of Govts.

11. **County of San Bernardino County-Wide Visioning Process** Pg. 67

Approve SANBAG participation in the County-Wide Visioning Process and direct Staff to work with the County to identify specific tasks and expenditures for SANBAG involvement up to \$50,000 from Task 49011000 – Council of Governments New Initiatives.
Duane Baker

This item was reviewed and unanimously received by the Major Projects Committee on October 14, 2010, the Mountain/Desert Committee on October 15, 2010, and the Plans and Programs Committee on October 20, 2010. This item was also discussed at the City/County Managers Technical Advisory Committee on October 21, 2010 and the Planning and Development Technical Forum on October 27, 2010.

12. **Federal Legislative Update** Pg. 78

Receive and file the Federal Legislative Update from SANBAG's Federal Advocate, Steve Palmer of Van Scoyoc Associates, Inc.
Aaron Hake

This item has not had prior Committee review.

Discussion Items Continued....

Project Development

13. North Milliken Avenue Grade Separation (Project)

Pg. 79

1. Award Construction Contract No. C11004 to C.C Myers, Inc for the North Milliken Avenue Grade Separation Project in the amount of \$27,160,048.00 and allocate Contingency cost in the amount of \$2,716,005.00 for a total amount of \$29,876,053.00.

2. Approve amendment to SANBAG Fiscal Year 2010/2011 budget under Task 0882— North Milliken Avenue Grade Separation to replace \$2,600,000 in State Transportation Improvement Program/Regional Improvement Program (STIP/RIP) funds with \$2,600,000 in City of Ontario Development Impact Fee funds.
Garry Cohoe

Approval to take recommendation #1 of this item directly to the Board was approved by the Major Projects Committee on June 10, 2010 and the Board on July 7, 2010. SANBAG Counsel has reviewed and approved the contract as to form. Recommendation #2 was not previously reviewed by the Major Projects Committee but has been reviewed and concurred with by SANBAG's Chief Financial Officer.

Subregional Transportation Planning & Programming

14. Criteria for Execution of Advance Expenditure Agreements for Valley Freeway Interchange Projects

Pg. 97

1. Amend Policy 40002 (AE-6 and AE-7), Valley Project Advancement and Advance Expenditure Policies, as specified in Attachment 1, establishing criteria for the execution of Advance Expenditure Agreements (AEAs) for Valley freeway interchange projects. This amendment to the policy sets in place a process for consideration of requests for AEAs, but does not commit SANBAG to execution of any specific Advance Expenditure Agreements. Future recommendations of AEAs for approval will be based on the consideration of the financial strength and stability of SANBAG.

2. Amend Policy 40005/VFI-15, Valley Freeway Interchange Program by deleting the last sentence of the paragraph and replacing it with the following: *"The prioritization list shall be considered for updates in conjunction with the reviews of the Expenditure Plan required in SECTION XIV. EXPENDITURE PLAN AMENDMENTS of the Measure I 2010-2040 ordinance. However, the SANBAG Board may request a re-evaluation of the prioritization list at any time."*
Ty Schuiling

This item was reviewed and recommended for approval (11-2-0; Opposed: Wapner and Roberts), by the Major Projects Committee on October 14, 2010. This item was also reviewed by the Valley subgroup of the Transportation Technical Advisory Committee (TTAC) on April 21 and May 13, 2010, by the full TTAC on June 7, 2010, and by the City Managers TAC on August 4 and 19, 2010.

Other Matters

15. Consent Calendar Items Pulled for Discussion

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

Comments from Board Members

Brief Comments from Board of Directors

Public Comment

Brief Comments by the General Public

ADJOURNMENT

Additional Information

Agency Reports/Committee Memberships

Commuter Rail Report (*unavailable at time of mailing*)

Mayor Pro Tem Patricia Gilbreath

South Coast Air Quality Management Report

Pg. 122

Mayor Dennis Yates

Mobile Source Air Pollution Reduction Review Committee (MSRC)

Pg. 124

Council Member Gwenn Norton-Perry

SCAG Committees

Pg. 129

SCAG Regional Council

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

SANBAG Policy Committees

Pg. 130

Acronym List

Pg. 133

Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Meeting Procedures and Rules of Conduct

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in "Public Testimony on any Item" still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings
of
Board of Directors and Policy Committees**

Basic Agenda Item Discussion.

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

The Vote as specified in the SANBAG Bylaws.

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

- At times, a member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair.

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

Courtesy and Decorum.

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.



Important Things To Know...

November 2010

SANBAG Meetings – Cancelled:

None

SANBAG Meetings – Scheduled:

Administrative Committee	Nov. 10	9:00 a.m.	The Super Chief
Plans and Programs Committee	Nov. 17	12:00 noon	The Super Chief
Major Projects Committee	Nov. 18	9:00 a.m.	The Super Chief
Commuter Rail & Transit Committee	Nov. 18	12:00 noon	The Super Chief
Mountain/Desert Committee	Nov. 19	9:00 a.m.	Town of Apple Valley

Other Meetings/Events:

League of California Cities, Dinner and Annual James Thalman Memorial Public Service Award	Nov. 4	5:30 p.m.	San Bernardino Hilton
IEEP Energy Summit (Inland Empire Economic Partnership)	Nov. 5	8:00 a.m.-1:00 pm	Ontario Double Tree Hotel
Senator Bob Dutton Reception	Dec. 2	5:30-7:30 p.m.	ESRI Café 380 New York Street Redlands

For additional information, please call SANBAG at (909) 884-8276